

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS INC.,  
Plaintiff,

v.

BROADCOM CORPORATION,  
Defendant

CIVIL ACTION NO. 03-3138

HON. BERLE M. SCHILLER

**STIPULATION AND ORDER REGARDING DISPOSITION  
OF DOCUMENTS FILED UNDER SEAL**

Plaintiff, Agere Systems, Inc., and Defendant, Broadcom Corporation, by and through their undersigned counsel, stipulate and agree that, in an effort to conserve the resources of the Court and pursuant to the terms of the Stipulation and Protective Order entered by the Court on September 16, 2003 in the above-captioned matter, the party who has filed documents under seal in the above-captioned matter will retrieve these documents from the Court's files within thirty (30) days from an Order of this Court and these documents shall remain under seal for this thirty (30) day period.

The documents which have been filed under seal are as follows:

Paper No.	Filed On	Document
46	03/19/04	Supplemental Declaration of Wayne A. Graver in support of Broadcom Corp.'s opposition to Agere's opening brief on the interpretation of disputed claim terms of the Agere patents. (Excerpts of Exhibit B attached under seal).
47	03/19/04	Responsive Brief on the interpretation of disputed claim terms of the Broadcom patents filed by Agere Systems Inc., Certificate of Service (Exhibit 17 attached filed under seal).
49	04/02/04	Agere's reply brief in support of Agere's interpretation of disputed claim terms of the Agere Patents Exhibit 6 by Agere Systems, Inc.
50	04/02/04	Agere's Reply Brief in support of Agere's interpretation of disputed claim terms of the Agere Patents Exhibit 7 by Agere Systems Inc.
51	04/02/04	Broadcom Corporation's reply claim construction brief re: U.S. Patent Nos. 5,940,771, 5,740,366, 6,374,311, 6,014,705 and 6,424,194, Reply Declaration of Wayne A. Graver, Certificate of Service. (Exhibit S under seal).
71	06/09/04	Declaration of Wayne A. Graver in support of Deft. Broadcom Corporation's Supplemental Claim Construction Brief. (2 documents attached under seal).

<b>Paper No.</b>	<b>Filed On</b>	<b>Document</b>
75	06/14/04	Revised Agere Systems' Post Markman Brief Exhibit C Deposition of Chris Heegard, Ph.D.
76	06/14/04	Revised Agere Systems' Post Markman Brief Exhibit D Deposition of Richard B. Fair, Ph.D.
86	07/26/04	Exhibits filed by Broadcom Corporation.
	07/30/04	Memorandum of law in support of Agere Systems Inc.'s motion for judgment on the pleadings and summary judgment to limit Broadcom's claim for damages based on failure to comply with 35 U.S.C. S 287 failure of marking and notice and to limit the scope of historical discovery.
88	08/03/04	Motion for Reconsideration of the Construction of certain claim terms filed by plaintiff Agere Systems Inc.
92	08/17/04	Declaration of Wayne A. Graver in support of Broadcom Corp.'s opposition to Agere Systems Inc.'s Motion for reconsideration of the construction of certain claim terms.
	08/17/04	Broadcom Corporation's opposition to Agere Systems Inc.'s motion for reconsideration of the construction of certain claim terms.
112	08/31/04	Memorandum in support of its motion to strike portions of the expert report of Dr. Donald Cox relying upon evidence withheld during discovery, filed by Plaintiff Agere Systems Inc.
	08/31/04	Agere's memorandum in support of its motion to strike portions of the expert report of Dr. Donald Cox relying upon evidence withheld during discovery - Exhibits A – O.
98	09/07/04	Motion for Summary Judgment and Exs. 4, 35-55, 57, 59,60, 64, 65, 67, 69, 72, 73, 86-90, 97-123,127,129,131,136,137 of Graver Dec., filed by Defendant Broadcom Corporation, Declarations.
99	09/07/04	Memorandum in support of its motion for summary judgment of infringement of Agere's '550 Patent filed by Defendant Broadcom Corporation.
100	09/07/04	Memorandum II in support of its motion for summary judgment of indirect infringement of Agere's '550 Patent, filed by Defendant Broadcom Corporation.
101	09/07/04	Memorandum III in support of Agere's motion for summary judgment that Broadcom's Circuit Products literally infringe, etc.
102	09/07/04	Memorandum IV in support of its motion for summary judgment of no anticipation of Agere's '559, '550 and '786 patents.
103	09/07/04	Memorandum V in support of its motion for summary judgment at Broadcom's affirmative defense of estoppel, filed by defendant Broadcom Corporation.
104	09/07/04	Memorandum VIII, IX and X in support of Agere Systems Inc.'s motion for partial summary judgment of non-infringement and/or invalidity of the U.S. Patent, etc.
105	09/07/04	Memorandum in support of Agere's motion for summary judgment of infringement of Agere's U.S. Patent No. 5,694,519 (The '519 Patent).

Paper No.	Filed On	Document
106	09/07/04	Memorandum in support of Agere's motion for summary judgment that Broadcom is estopped from challenging the Validity of the '519 Patent in light of its relationship with one of the inventors of that patent.
107	09/07/04	Memorandum XI in support of Agere's motion for summary judgment of non-infringement and anticipation pursuant to 35 U.S.C. Section 102 of all asserted claims of U.S. Patent No. 6,424,194 (Circuit).
108	09/07/04	Memorandum VIII, IX and X in support of Agere Systems Inc.'s motion for partial summary judgment of non-infringement and/or invalidity of the U.S. Patent etc. Volume III.
109	09/14/04	Exhibit 1 of Broadcom Corporation's Opposition to Agere's Motion to Strike portions of the expert report of Dr. Donald Cox.
110	09/17/04	Errata to Court filing on 9/7/04. Memorandum III. Memorandum in support of Agere's motion for summary judgment that Broadcom's Circuit Products literally infringe: (I) Agere's U.S. Patent No. 4,990,802; (II) Agere's U.S. Patent No. 5,396,195; and (III) Agere's U.S. Patent 4,477,782, filed by Plaintiff Agere Systems Inc.

<b>Paper No.</b>	<b>Filed On</b>	<b>Document</b>
111	09/20/04	Motion for Leave to file a response to Broadcom's opposition to Agere's Motion to Strike portions of the expert report of DRM Donald Cox, filed by Plaintiff Agere Systems Inc.

**AGREED AND APPROVED**

By:

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SO ORDERED this 24 day of September 2007.

*Attorneys for Agere Systems, Inc*  
2007.

*Berle M. Schiller, J.*